

**TRANSFER OF CERTAIN APPROPRIATIONS TO THE TEXAS
EDUCATION AGENCY AND THE TEACHER RETIREMENT
SYSTEM OF TEXAS AND THE ADJUSTMENT OF
APPROPRIATIONS FOR PUBLIC SCHOOL FINANCE**

CHAPTER 10

H.B. No. 30

AN ACT

relating to the transfer of certain appropriations to the Texas Education Agency and the Teacher Retirement System of Texas and the adjustment of appropriations for public school finance.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. (a) The amount of \$351,000,000 of the unencumbered appropriations from the general revenue fund for the state fiscal biennium ending August 31, 2019, made by S.B. 1, Acts of the 85th Legislature, Regular Session, 2017 (the General Appropriations Act), to the Health and Human Services Commission is transferred to the Texas Education Agency to be used by the agency during that state fiscal biennium as follows:

(1) \$150,000,000 is allocated to fund financial hardship grants under Subchapter H, Chapter 42, Education Code, as added by H.B. 21, Acts of the 85th Legislature, 1st Called Session, 2017, or similar legislation that enacts a new hardship grant program for the benefit of school districts that would otherwise experience a significant loss of revenue during the 2017–2018 or 2018–2019 school year;

(2) \$60,000,000 is allocated to fund payments to open-enrollment charter schools under Section 12.106(d), Education Code, as added by H.B. 21, Acts of the 85th Legislature, 1st Called Session, 2017, or similar legislation that provides for funding to open-enrollment charter schools for instructional facilities;

(3) \$60,000,000 is allocated for the existing debt allotment under Section 46.032, Education Code, as amended by H.B. 21, Acts of the 85th Legislature, 1st Called Session, 2017, or similar legislation that increases the level of funding under that allotment;

(4) \$41,000,000 is allocated for the small-sized district adjustment under Section 42.103, Education Code, as amended by H.B. 21, Acts of the 85th Legislature, 1st Called Session, 2017, or similar legislation that addresses the entitlement under that adjustment for certain school districts that contain less than 300 square miles;

(5) \$20,000,000 is allocated to be used to award grants authorized under Section 29.026, Education Code, as added by H.B. 21, Acts of the 85th Legislature, 1st Called Session, 2017, or similar legislation that enacts a program to award grants to school districts and open-enrollment charter schools that provide innovative services to students with autism; and

(6) \$20,000,000 is allocated to be used to award grants authorized under Section 29.027, Education Code, as added by H.B. 21, Acts of the 85th Legislature, 1st Called Session, 2017, or similar legislation that enacts a program to award grants to school districts and open-enrollment charter schools that provide innovative services to students with dyslexia.

(b) The Health and Human Services Commission shall identify the strategies and objectives out of which the transfer under Subsection (a) of this section is to be made. If the commission makes the amount of appropriations transferred under Subsection (a) of this section available by delaying until the state fiscal biennium beginning September 1, 2019, the monthly capitation payments otherwise due in August 2019 to managed care organizations that contract with the commission to provide health care services to Medicaid recipients, the commission shall make the delayed payments as soon as possible out of available money appropriated to the commission for that state fiscal biennium.

(c) Notwithstanding the sum-certain appropriations specified in Rider 3, Chapter 605

(S.B. 1), Acts of the 85th Legislature, Regular Session, 2017 (the General Appropriations Act), to the bill pattern of the appropriations to the Texas Education Agency, the Legislative Budget Board shall determine the sum-certain appropriation to the Foundation School Program for each year of the state fiscal biennium beginning September 1, 2017, based on the amount specified in that rider, the other provisions of the General Appropriations Act, and other law, including the provisions of this Act.

(d) If H.B. 21, Acts of the 85th Legislature, 1st Called Session, 2017, or another similar Act that addresses additional funding under the public school finance system for the components described in Subsection (a) of this section also transfers and allocates to those components the amount of unencumbered appropriations in the manner provided by that subsection, the transfer and allocation under Subsection (a) of this section does not occur.

SECTION 2. (a) The amount of \$212,000,000 of the unencumbered appropriations from the general revenue fund for the state fiscal biennium ending August 31, 2019, made by S.B. 1, Acts of the 85th Legislature, Regular Session, 2017 (the General Appropriations Act), to the Health and Human Services Commission is transferred to the Teacher Retirement System of Texas and may be used by the retirement system during that state fiscal biennium to increase school districts' recruitment and retention of school teachers and provide support to participants in the Texas Public School Employees Group Insurance Program authorized by Chapter 1575, Insurance Code. The Health and Human Services Commission shall identify the strategies and objectives out of which the transfer is to be made.

(b) The Teacher Retirement System of Texas may use the money transferred under Subsection (a) of this section to:

(1) decrease the premiums and deductibles that would otherwise be paid during the 2018 and 2019 plan years by participants in the Texas Public School Employees Group Insurance Program authorized by Chapter 1575, Insurance Code; and

(2) reduce costs for an enrolled adult child with a mental disability or a physical incapacity during the 2018 and 2019 plan years.

(c) The Teacher Retirement System of Texas shall determine the most efficient allocation of the money transferred under Subsection (a) of this section to achieve the maximum benefit for participants in the program.

SECTION 3. This Act takes effect only if the 85th Legislature, 1st Called Session, 2017, enacts H.B. 21 or another similar Act that addresses additional funding under the public school finance system for the components described in Section 1 of this Act and H.B. 21 or that similar Act becomes law. If H.B. 21 or another similar Act described by this section does not become law, this Act has no effect.

SECTION 4. Except as otherwise provided by this Act:

(1) this Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution; and

(2) if this Act does not receive the vote necessary for immediate effect, this Act takes effect on the 91st day after the last day of the legislative session.

Passed by the House on August 7, 2017: Yeas 131, Nays 13, 1 present, not voting; the House concurred in Senate amendments to H.B. No. 30 on August 15, 2017: Yeas 118, Nays 24, 1 present, not voting; passed by the Senate, with amendments, on August 15, 2017: Yeas 26, Nays 5.

Approved August 16, 2017.

Effective August 16, 2017.